IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 23RD AUGUST 2007 / 1ST BHADRA 1929

WP(C).No. 2181 of 2004(I)

PETITIONER:

P. VASU, EX. EMPLOYEE, ASST. ADMN. OFFICER KELTRON COMPONENT COMPLEX LTD., KALLIASSERY, NOW RESIDING AT SHILPA, OPP. ABHAYANIKETHAN, THOTTADA, KANNUR.

BY ADV. SRI. A. MOHAMED MUSTAQUE
SRI. M.K. SUMOD

RESPONDENTS:
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1. **THE ASSISTANT MANAGER (PERSONAL & ADMINISTRATION), KELTRON COMPONENT COMPLEX LTD., KALLIASSERY, KANNUR.**

2. **KELTRON COMPONENT COMPLEX LTD., KELTRON NAGAR, P.O. KALLIASSERY, REPRESENTED BY ITS MANAGING DIRECTOR.**

BY ADV. SRI. M. GOPIKRISHNAN NAMBIAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 2181/2004(I)

A P P E N D I X

PETITIONER'S EXHIBITS:

EXT. P1	**:**	**COPY OF THE ORDER ISSUED BY THE 2ND RESPONDENT DATED 1.4.2003.**
EXT. P2	**:**	**COPY OF THE LETTER DATED 4.8.2003 SENT TO THE 2ND RESPONDENT BY THE PETITIONER.**
EXT. P3	**:**	**COPY OF THE MEMORANDUM OF SETTLEMENT ENTERED INTO BY THE EMPLOYEES UNION AND 2ND RESPONDENT DT. 22.11.88.**
EXT. P4	**:**	**COPY OF THE LAWYER NOTICE SENT TO THE PETITIONER DATED 22.9.03 BY THE 1ST RESPONDENT.**

// True Copy //

P.A. to Judge

smp

KURIAN JOSEPH, J.

W.P. (C). NO. 2181 OF 2004

Dated this the 23rd day of August, 2007.

J U D G M E N T

Petitioner approached this Court aggrieved by Exhibit P2 letter issued by the second respondent whereby his promotion has been withdrawn after his retirement. There is no counter affidavit.

2. After an incumbent retired from service whether it is permissible to withdraw the promotion itself is a question to be considered. The fact remains that the petitioner has worked in the promoted post. The contention of the respondents is that there was no such post available. In any case, the petitioner should have been atleast issued notice before the impugned letter was issued.

I quash Exhibit P2 without prejudice to the liberty to the respondents to pass orders in accordance with law, after affording an opportunity for hearing to the petitioner.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp